

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
NEXTEL COMMUNICATIONS, INC.)	File Nos. CWD 27-24
)	
Applications for 800 MHz Specialized)	
Mobile Radio - Trunked Systems at)	
Various Locations)	
)	
)	

MEMORANDUM OPINION AND ORDER

Adopted: December 22, 1999

Released: January 5, 2000

By the Commission:

1. The Commission has before it an Application for Review, filed on January 27, 1998, by Dennis C. Brown and Robert H. Schwaninger, Jr. (Schwaninger).¹ Schwaninger seeks review of an Order by the Wireless Telecommunications Bureau ("Bureau") dismissing Schwaninger's Petition for Special Relief, filed June 25, 1996.²

2. Schwaninger presents no arguments in its Application for Review that would lead us to change the Bureau's decision. We conclude that the Bureau correctly dismissed Schwaninger's petition as untimely. We also agree with the Bureau's conclusion that Schwaninger's substantive allegations lacked any factual basis that would justify granting extraordinary relief in this case. We therefore affirm the Bureau's decision for the reasons stated therein.

3. ACCORDINGLY, IT IS ORDERED that, pursuant to Section 5(c)(5) of the Communications Act, as amended, 47 U.S.C. § 155(c)(5), and Section 1.115(g) of the Commission's rules, 47 C.F.R. § 1.115(g), the Application for Review filed by Dennis C. Brown and Robert H. Schwaninger, Jr. on January 27, 1998 in the above-captioned proceeding IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Magalie Roman Salas
Secretary

¹Application for Review of Dennis C. Brown and Robert H. Schwaninger, Jr., filed January 27, 1998.

²Nextel Communications, Inc., *Order*, 13 FCC Rcd. 281 (1998).